

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARIA DIAGNOSTICS, INC.,

No. C 11-06391 SI

Plaintiff,

ORDER ON APPLICATION TO SEAL

v.

SEQUENOM, INC.,

Defendant.

SEQUENOM, INC.,

Counterclaim Plaintiff

v.

ARIA DIAGNOSTICS, INC.,

Counterclaim Defendant,

and

ISIS INNOVATION LIMITED,

Nominal Counterclaim Defendant.

Currently before the Court is Ariosa's (plaintiff and counterclaim defendant, formerly known as Aria) application to seal portions of its opposition to Sequenom's motion for a preliminary injunction and related declarations. The application is supported by a declaration from Ariosa (Declaration of Amir Naini) and a declaration from Sequenom (Declaration of Michael Malecek).

The Court GRANTS in part the application to file portions of Ariosa's Opposition brief under

1 seal. Specifically, the Court finds good cause at this juncture to allow Ariosa to file under seal the
 2 following portions of its Opposition brief: (1) the text at page 21, lines 11-17; and (2) the text at page
 3 23, lines 2-7 and footnote 6. The remainder of the Opposition brief shall be publicly filed.

4 The Court also GRANTS in part Ariosa's application to file portions of the Declaration of Ryan
 5 Sullivan in support of its Opposition under seal. Specifically, the Court finds good cause at this juncture
 6 to allow Ariosa to file the following information included in or attached to the declaration under seal:

- 7 1. Page 5: The highlighted text [lines 7-9]
- 8 2. Page 13: The highlighted text [lines 7-9] and footnote 24
- 9 3. Page 16: Footnote 39
- 10 4. Page 20: The highlighted text [lines 11-15 and 17-19]
- 11 5. Page 22: Footnote 68
- 12 6. Page 23: The highlighted text [lines 9-12] and footnote 74
- 13 7. Page 26: The highlighted text [lines 3-14] and footnote 88
- 14 8. Page 27: The highlighted text [lines 1-2 and 7-11]
- 15 9. Page 28: Footnote 94
- 16 10. Page 29: The highlighted text [lines 6-10] and footnotes 100, 103
- 17 11. Page 30: Footnote 104
- 18 12. Page 34: The highlighted text [lines 2-7]
- 19 13. Page 43: The highlighted text [lines 13-14] and footnote 164
- 20 14. Page 44: The highlighted test [lines 1-4, 12-13, 17-19]
- 21 15. Page 45: The highlighted text [line 1] and footnote 167

22 The following portions of deposition testimony are to be redacted prior to public filing as
 23 follows:

- 24 1. Sullivan Decl., Exhibit 7 (deposition of Mr. Welch)
 - 25 a. The testimony on page 139, lines 13-18
 - 26 b. The testimony on page 160, lines 16-21
- 27 2. Sullivan Decl., Exhibit 8 (deposition of Dr. Tatman)
 - 28 a. The testimony on page 62, lines 1-5 and lines 22-25

- b. The testimony on page 63, lines 1-6
- c. The testimony on page 66, lines 10-13
3. Sullivan Decl., Exhibit 11 (deposition of Dr. Hixson)
 - a. The testimony on page 60, lines 22-25
 - b. The testimony on page 61, lines 1-2
 - c. The testimony on page 77, lines 1-5
4. Sullivan Decl., Exhibit 14 (deposition of Dr. Rao)
 - a. The testimony on page 97, lines 13-22
 - b. The testimony on page 161, lines 6-10
 - c. The testimony on page 162, lines 15-19
 - d. The testimony on page 164, lines 1-7
5. The following Exhibits are to be sealed:
 - a. Sullivan Decl., Ex 16
 - b. Sullivan Decl., Ex 17


The Court also GRANTS Ariosa's application to file portions of the Declaration of John Stuelpnagel under seal. Specifically, the Court finds good cause at this juncture to allow Ariosa to file the following information included in or attached to the declaration under seal:

1. Page 5: The highlighted text [line 28]
2. Page 6: The highlighted text [lines 1-3]
3. Stuelpnagel Decl., Ex 2

Ariosa shall e-file under seal (pursuant to General Order No. 62), unredacted copies of the documents it has been given leave to file under seal and e-file in the public docket redacted copies of the same.

IT IS SO ORDERED.

Dated: May 29, 2012


 SUSAN ILLSTON
 United States District Judge